

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment in Part X by striking out all of section 2 and inserting the following:

**Sec. X-2. Authorization to issue TransCap Trust Fund revenue bonds for highways.** Notwithstanding any other provision of law, the Maine Municipal Bond Bank, at the request of the Department of Transportation, is authorized to issue additional TransCap Trust Fund revenue bonds as provided in the Maine Revised Statutes, Title 30-A, section 6006-G in amounts not to exceed \$30,000,000 for the purpose of funding capital highway projects with an estimated useful life of 10 years or greater.

**Sec. X-3. Access to TransCap Trust Fund.** The Department of Transportation is authorized to access and use all funds in the TransCap Trust Fund at the Maine Municipal Bond Bank available in the 2010-2011 biennium that are not allocated or otherwise committed as part of debt service or bond issuer requirements or otherwise committed for capital projects having an estimated useful life of at least 10 years.

**Sec. X-4. Highway and Bridge Light Capital funding.** The Joint Standing Committee on Transportation shall negotiate in good faith and develop a solution to fund the Highway and Bridge Light Capital program in the Department of Transportation so as to allow maintenance paving at a rate of 600 miles per year without further impact to the TransCap Trust Fund. The Joint Standing Committee on Transportation shall submit a bill to the Second Regular Session of the 124th Legislature to implement the solution.'

Amend the amendment by inserting after Part X the following:

## PART Y

**Sec. Y-1. Appropriations and allocations.** The following appropriations and allocations are made.

### TRANSPORTATION, DEPARTMENT OF

#### Highway and Bridge Capital 0406

Initiative: Provides funding for capital projects utilizing \$25,000,000 of the \$30,000,000 Maine Municipal Bond Bank TransCap Trust Fund revenue bonds authorized in Part X.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$25,000,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000,000	\$0

### Highway and Bridge Capital 0406

Initiative: Allocates funding for capital projects on a one-time basis from a portion of the 7.5% of fuel taxes previously transferred to the TransCap Trust Fund within the Maine Municipal Bond Bank.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
Capital Expenditures	\$4,736,405	\$10,939,435
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$4,736,405</b>	<b>\$10,939,435</b>

### Highway and Bridge Light Capital Z095

Initiative: Deallocates on a one-time basis a portion of the Part A Highway Fund allocation for the Urban-Rural Initiative Program to provide funding for the Highway and Bridge Light Capital program to perform maintenance paving for approximately 135 miles of road statewide.

<b>HIGHWAY FUND</b>	<b>2009-10</b>	<b>2010-11</b>
Capital Expenditures	\$5,000,000	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$5,000,000</b>	<b>\$0</b>

### Urban-Rural Initiative Program 0337

Initiative: Deallocates on a one-time basis a portion of the Part A Highway Fund allocation for the Urban-Rural Initiative Program to provide funding for the Highway and Bridge Light Capital program to perform maintenance paving for approximately 135 miles of road statewide.

<b>HIGHWAY FUND</b>	<b>2009-10</b>	<b>2010-11</b>
All Other	(\$5,000,000)	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>(\$5,000,000)</b>	<b>\$0</b>

### Urban-Rural Initiative Program 0337

Initiative: Restores funding to the Urban-Rural Initiative Program eliminated in this Part by transferring a portion of the 7.5% of fuel taxes previously transferred to the TransCap Trust Fund within the Maine Municipal Bond Bank.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
All Other	\$5,000,000	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,000,000</b>	<b>\$0</b>

**Urban-Rural Initiative Program 0337**

Initiative: Provides funding on a one-time basis to replace the deallocation to the Urban-Rural Initiative Program in Part A by utilizing \$5,000,000 of the \$30,000,000 Maine Municipal Bond Bank TransCap Trust Fund revenue bonds authorized in Part X.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
All Other	\$0	\$5,000,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$5,000,000</b>

<b>TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2009-10</b>	<b>2010-11</b>
<b>HIGHWAY FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$34,736,405</b>	<b>\$15,939,435</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$34,736,405</b>	<b>\$15,939,435</b>

**SUMMARY**

This amendment replaces \$5,000,000 of the Highway Fund allocation for the municipal Urban-Rural Initiative Program with TransCap Trust Fund revenues, and allocates the Highway Funds previously to be used for the Urban-Rural Initiative Program to the Department of Transportation's Highway and Bridge Light Capital program to fund an estimated 135 miles of maintenance paving statewide over 2 years. Pursuant to the Maine Revised Statutes, Title 23, section 1802-A, subsection 1-A and section 1803-B, rural Urban-Rural Initiative Program funds must be used for capital improvements that have a life expectancy of at least 10 years.

The amendment removes the authorization of TransCap Trust Fund revenue bonds in Part X, section 2 and replaces it with the authorization to issue up to \$30,000,000 of TransCap Trust Fund revenue bonds for capital highway projects with an estimated useful life of 10 years or greater. The amendment allocates \$25,000,000 of the bond proceeds for capital projects having a useful life of at least 10 years and \$5,000,000 to eliminate the proposed reduction of municipal Urban-Rural Initiative Program funds in fiscal year 2010-11.

The amendment further ensures that the Department of Transportation may use all funds available in the TransCap Trust Fund for its Highway and Bridge Capital program for projects with an estimated useful life of 10 years or greater.

The amendment also requires the Joint Standing Committee on Transportation to find a solution to fund 600 miles of maintenance surface treatment paving per year without further impacts to the TransCap Trust Fund and to submit a bill to implement the solution.

**FISCAL NOTE REQUIRED**  
**(See attached)**